

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CITY OF ALMATY, KAZAKHSTAN,
and BTA BANK JSC,

Plaintiffs,

v.

MUKHTAR ABLYAZOV, ILYAS
KHRAPUNOV, VIKTOR KHRAPUNOV, and
TRIADOU SPV S.A.,

Defendants.

No. 15 Civ. 5345 (AJN) (KHP)

**MUKHTAR ABLYAZOV'S OBJECTIONS TO HONOURABLE JUDGE PARKER'S
REPORT & RECOMMENDATION DATED AUGUST 19, 2022,**

MUKHTAR ABLYAZOV
As Pro Se Defendant
France

I, the undersigned, defendant Mukhtar Ablyazov ("Ablyazov"), as a Pro Se defendant, submit these objections to the August 19 Report & Recommendation of Magistrate Judge Katharine H. Parker.

INTRODUCTION

I respectfully submit to this Court that Judge Parker has made a substantial error in her Opinion. Therefore, Judge Parker has erred in her conclusions in the Opinion.

LEGAL STANDARD

I understand that since pro se parties are considered at a disadvantage when facing a party represented by counsel, various state and federal rules advocate treating self-represented litigants with greater accommodation than parties with professional representation. I feel that I have not been afforded such treatment by Magistrate Judge Parker, who has expected of me the same level of legal research and reference to case law as would be expected from a law firm. I hope that this Court will accommodate any mistakes I may make in the structure or formatting of my objections, and will allow me to cure any deficiencies, if it finds them.

ARGUMENT

Inability to pay

In her 19 August Opinion, Judge Parker considers that inability to pay any of the sanction fees is not a good enough reason. So, if a person does not have any income and has no funds or assets he should still be obligated to pay.

In Judge Parker's opinion even if I were to demonstrate that I have no means to pay any part of the sanction fee, I would still find myself in contempt. The only remedy she envisioned is a possibility of paying the same full amount of sanction fee in 12 equal instalments over a period of one year. The way her opinion is made it would results in a loss/loss scenario.

This assessment is clearly erroneous.

If the person can demonstrate inability to pay, he should not find himself in contempt of an order to pay.

CONCLUSION

For the reasons explained above, Mukhtar Ablyazov respectfully requests that the Court rejects the Magistrate Judge's recommendation that Ablyazov be ordered to pay the sanction fees even if it was possible for him to demonstrate inability to pay.

Dated: France
September 13, 2022



Mukhtar Ablyazov

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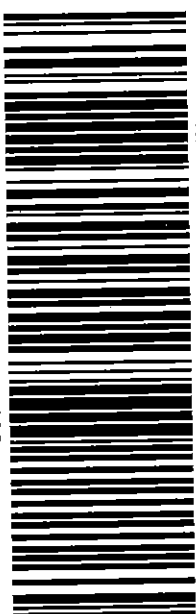
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